

**SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423**

ENVIRONMENTAL ASSESSMENT

NO. AB-55 (SUB-NO. 590X)

CSXT Transportation, Inc. – Abandonment Exemption – (Between Memphis and Cordova) in Shelby County, Tennessee

BACKGROUND

In this proceeding, CSXT Transportation, Inc. (CSXT) has filed a petition under 49 U.S.C. 10502 seeking exemption from the requirements of 49 U.S.C. 10903 in connection with the abandonment of 13.34 miles of rail line over the Midwest Region, Nashville Division, Memphis Terminal in Shelby County, Tennessee. The proposed abandonment extends from milepost ONI 224.00 near Memphis, Tennessee to the end of the line at milepost ONI 210.66 near Cordova, Tennessee. A map depicting the rail line in relationship to the area served is appended to the report. If the exemption becomes effective, the railroad will be able to salvage track, ties and other railroad appurtenances, and to dispose of the right-of-way.

DESCRIPTION OF THE LINE

Bolen Brunson Bell, Jimmy Whittington Lumber Company, Edmonds Material, Inc., and Memphis Light Gas and Water are the four customers on the line. According to CSXT, seven bridges on the line need substantial repair, and CSXT must operate over those seven bridges to serve the customers. The line was embargoed on March 1, 2001, due to unsafe bridge conditions on two of the bridges. CSXT states that there is no overhead freight traffic on the line.

CSXT states that lumber and brick are the principal commodities transported over the line. CSXT states that the customers on the line can use its Leewood Yard transload facility.

ENVIRONMENTAL REVIEW

The railroad has submitted an environmental report that concludes the quality of the human environment will not be affected significantly as a result of the abandonment or any post-abandonment activities, including salvage and disposition of the right-of-way. The railroad has served the environmental report on a number of appropriate Federal, state, and local agencies as required by the Board's environmental rules at 49 CFR 1105.7(b). We have investigated and reviewed the record in this proceeding.

The National Geodetic Survey has submitted comments indicating that three geodetic station markers may be affected by the proposed abandonment and requests 90 days notice to plan relocation of any markers which may be disturbed or destroyed.

The Natural Resources Conservation Service has also submitted comments stating that the proposed abandonment would not adversely affect the prime farmland adjacent to the line.

The U.S. Fish and Wildlife Service has submitted comments indicating that the proposed abandonment would not impact Federally listed or proposed endangered or threatened species.

Water

The State of Tennessee Department of Environment and Conservation, Division of Water Pollution Control (WPC) has submitted comments stating that the proposed abandonment could pollute the waters of the State of Tennessee, since the removal of crossties is considered a construction activity and will disturb the underlying roadbed. WPC requests CSXT to complete a stormwater regulations form and to develop a stormwater pollution prevention plan in order to obtain a stormwater construction permit from WPC for the proposed project.

WPC also indicated that no Clean Water Act Section 404 permits or aquatic resource alteration permits would be required unless materials will be disposed in jurisdictional wetlands or streams or salvage activity will occur in jurisdictional wetlands or streams. According to CSXT, “removal of material will be accomplished by use of the right-of-way for access, along with existing public and private crossings, and no new access roads are contemplated. We do not intent to disturb any of the underlying roadbed or perform any activities that would cause sedimentation or erosion of the soil, and do not anticipate any dredging or use of fill in the removal of the track material. The crossties and/or other debris will be transported away from the rail line and will not be discarded along the right-of-way nor be placed or left in streams or wetlands, or along the banks of such waterways. Also, during track removal, appropriate measures will be implemented to prevent or control spills from fuels, lubricants or any other pollutant materials from entering any waterways.”

The U.S. Army Corps of Engineers (Corps) has submitted comments stating that no Corps permits will be required for the proposed project.

Traffic

According to CSXT data, using year 2000 data as the base year, 472 carloads of rail traffic could be converted to truck traffic. Using a conversion factor of 4 trucks per railcar,¹ the Section of Environmental Analysis calculated that on a per day basis, if all the rail traffic is diverted to truck traffic, an estimated 8 trucks (16 truck trips) per day would be added to the area roadways during a 240 workday year.² We are assuming an empty backhaul, meaning that approximately 16 trucks per day may be added to area roads. According to CSXT, the customers have access to local highways. Interstate 40 and 240 are accessible from the line, and interstate

¹ The conversion factor is an estimate based on the varied nature of the commodities transported on the line.

² 240 workdays result when weekends and holidays are subtracted from a 365 day year.

40 parallels the majority of the line.

Historic Resources

The Tennessee Historical Commission has submitted comments stating that the proposed abandonment may affect historic properties eligible for listing in the National Register of Historic Places.

CONDITIONS

We recommend that the following environmental conditions be placed on any decision granting abandonment authority:

1. The National Geodetic Survey has identified three geodetic station markers along the rail line and requests 90 days notice to plan relocation of any markers which may be disturbed or destroyed. Therefore, we recommend that the following condition be imposed on any decision granting abandonment authority: **CSX Transportation, Inc. shall consult with the National Geodetic Survey (NGS) and provide NGS with 90 days notice prior to disturbing or destroying any geodetic station markers.**
2. The State of Tennessee Department of Environment and Conservation, Division of Water Pollution Control has indicated that the proposed abandonment could pollute the waters of the State of Tennessee, since the removal of crossties is considered a construction activity and will disturb the underlying roadbed. Therefore, we recommend that the following condition be imposed on any decision granting abandonment authority: **Prior to beginning any salvage activities, CSX Transportation, Inc. shall consult with the State of Tennessee Department of Environment and Conservation, Division of Water Pollution Control to determine whether a stormwater construction permit is required.**
3. The Tennessee Historical Commission (SHPO) has submitted comments indicating that the proposed abandonment may affect historic properties eligible for listing in the National Register of Historic Places. Therefore, we recommend that the following condition be imposed on any decision granting abandonment authority: **CSX Transportation, Inc. shall take no steps to alter the historic integrity of the line and all sites and structures on the line until completion of the Section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f.**

CONCLUSIONS

Based on the information provided from all sources to date, we conclude that, as currently proposed, and if the recommended conditions are imposed, abandonment of the line

will not significantly affect the quality of the human environment. Therefore, the environmental impact statement process is unnecessary.

Alternatives to the proposed abandonment would include denial (and therefore no change in operations), discontinuance of service without abandonment, and continued operation by another operator. In any of these cases, the existing quality of the human environment and energy consumption should not be affected.

PUBLIC USE

Following abandonment and salvage of the rail line, the right-of-way may be suitable for other public use. A request containing the requisite four-part showing for imposition of a public use condition (49 CFR 1152.28) must be filed with the Board and served on the railroad within the time specified in the Federal Register notice.

TRAILS USE

A request for a notice of interim trail use (NITU) is due to the Board, with a copy to the railroad, within 10 days of publication of the notice of the petition for exemption in the Federal Register. Nevertheless, the Board will accept late-filed requests as long as it retains jurisdiction to do so in a particular case. This request must comply with the Board's rules for use of rights-of-way as trails (49 CFR 1152.29).

PUBLIC ASSISTANCE

The Board's Office of Public Services responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact the Office of Public Services directly at (202) 565-1592, or mail inquiries to Surface Transportation Board, Office of Public Services, Washington, DC 20423.

COMMENTS

If you wish to file comments regarding this environmental assessment, you should send an **original and two copies** to Vernon A. Williams, Office of the Secretary, Washington, DC 20423, to the attention of Rini Ghosh, who prepared this environmental assessment. **Please refer to Docket No. AB-55 (Sub-No. 590X) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Rini Ghosh at (202) 565-1539.

Date made available to the public: **October 23, 2001.**

Comment due date: November 21, 2001 (30 Days)

By the Board, Victoria J. Rutson, Chief, Section of Environmental Analysis.

Vernon A. Williams
Secretary

Attachment

MAP NEEDS TO BE SCANNED.